

REMARKS

A Further Supplemental Information Disclosure Statement is submitted and paid for herewith.

A Terminal Disclaimer is submitted herewith to obviate the provisional double patenting rejection. A check for \$130 is attached to cover the Terminal Disclaimer fee. If any further fees are due in conjunction with this submission, they can be charged to the undersigned Counsel's Deposit Account No. 14-1435.

Claim 1 has been amended to incorporate the limitation of claim 9, and the feature (absorption band in the range 780-1500 nm) defined at page 7 lines 18-19. Claims 9, 10, 11, 14, and 16, have been cancelled. Claims 27 and 29 have each been made dependent from claim 1.

Claims 1-9 and 11-21 were rejected under 35 U.S.C. 102(b) as being anticipated by Muellich U.S. Patent 5,893,959. Applicant respectfully traverses this rejection as to any degree it is deemed applicable to the claims as amended, and requests reconsideration.

The Office Action states the following about Muellich:

"Muellich discloses the welding of thermoplastic materials using a laser beam. The transmission coefficient is used in the formation of a bond. Workpieces may be opaque, colored with dye or transparent. After welding,

the individual workpiece parts are substantially no longer distinguishable by the human eye. The proportions of the workpiece parts are joined in the visible region and dye pigment may be used for joining. Wavelengths of 1.06 um may be used. (abstract, figures, col. 3, lines 5-10, col. 7, lines 40-65, col. 8, lines 34-67)."

This quoted passage does not accurately reflect the full disclosure of Muellich.

The intention of Muellich is to use laser welding to join workpieces together to produce a resultant structure which provides a homogeneous visual impression, in particular with regard to color (column 2, lines 18-21). This is achieved by providing suitable additives in both workpieces such that:

i) with respect to *infrared* radiation, one of the workpieces is substantially transparent while the other is substantially absorbent (column 2, line 64 – column 3, line 3); and

ii) with respect to the *visible* wavelength range, the additives are impermeable to light rays so that the resulting structure provides a substantially homogenous visual impression (column 3, lines 3-7) and so that the workpieces are opaque to visible light (column 9, lines 19-21).

This is completely different from the requirements of Applicant's claim 1, as amended, for a number of reasons.

Firstly, the claim requires the first workpiece to be any of clear to translucent and the second workpiece to be any one of tinted to opaque.

This should be contrasted with the workpieces described in Muellich which are required to be opaque (or impermeable) to visible light.

Secondly, claim 1 requires that the radiation absorbing dye is visually transmissive when the workpieces are welded together and when viewed through the first workpiece. Again, it is made clear in column 3, lines 3-7 of Muellich that the additive results in the structure being impermeable to visible light rays. This is further supported in the particular examples of Muellich which make reference to the use of black dye pigments (column 7, lines 42-44) which, of course, are opaque.

Consequently, claim 1 is not anticipated by Muellich.

Dependent claims 22-29 were rejected as being obvious over Muellich, taken in view of Osborne U.S. Patent 4,069,080. The above arguments regarding the independent claim 1 should be dispositive of the issue. However, Applicant further points out that as acknowledged by the Examiner, the only laser disclosed in Osborne is a CO₂ laser. If any attempt was made to modify Muellich to operate on textiles as taught by Osborne, Applicant submits that the skilled person would be taught by Osborne to utilize a CO₂ laser. However, the wavelength (10,600 nm) produced by that laser is very far from that defined by the wavelength range in claim 1, as amended (780-1500 nm), and thus the resultant method achieved by a combination of the two prior art documents would not fall within the terms of any of claims 22 to 29.

The above-referenced Information Disclosure Statement submits Corrsin U.S. Patent 3,477,194, which was recently cited by the Examiner

in the parent application.

The primary disclosure in Corrsin relates to the use of carbon to provide an infrared absorber (column 1, line 40; column 2, line 35). Carbon is, of course, opaque to visual wavelengths and thus falls outside the scope of claim 1 which requires that the radiation absorbing dye is visually transmissive.

In the second example, also referred to by the Examiner in an Office Action in the parent Application, the infrared absorber is referred to more generally as an "infrared absorbing material" and column 3, lines 52-57 refers to embodiments using absorbers other than carbon which are said to absorb radiation in a certain range of wavelengths. However, those absorbers are described in conjunction with the use of a carbon dioxide laser which generates wavelengths of 10.6microns (column 3, line 71 – column 4, line 6) and this wavelength range is completely outside that defined in claim 1, as amended.

Thus, the only materials described in Corrsin which are visually transparent require the use of incident wavelengths far outside the range defined in claim 1, as amended, while the other absorbers explicitly referred to are not visually transmissive.

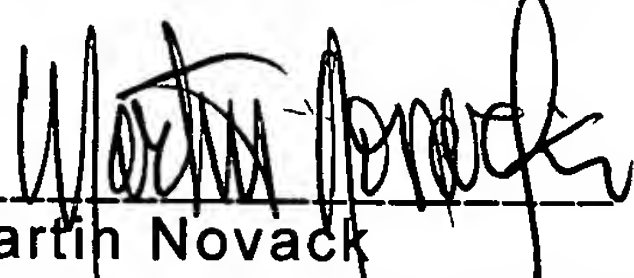
In view of the foregoing it is believed that all claims of this application are now in condition for allowance, and such favorable action is respectfully solicited. In the event there are any remaining issues, however, it is asked that the Examiner kindly telephone the undersigned

counsel collect so that they can be resolved.

Delray Beach, Florida
Tel. (561) 498-4706
Fax. (561) 498-4027
August 15, 2005

(W-18)

Respectfully submitted,



Martin Novack
Attorney for Applicant(s)
Reg. No. 25,164